

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2004-273-T - ORDER NO. 2005-25
JANUARY 12, 2005

IN RE: Application of Allegiance Moving Company,) ORDER GRANTING
Inc. to Amend Class E Certificate of Public) MOTION FOR LEAVE
Convenience and Necessity.) TO TAKE TELEPHONE
) DEPOSITIONS

This matter comes before the Public Service Commission of South Carolina ("Commission") by way of a Motion for Leave to Take Telephone Depositions filed by counsel on behalf of Allegiance Moving Company, Inc. ("Allegiance"). For reasons stated herein, we grant Allegiance's Motion.

Pursuant to Rules 30 and 32 of the South Carolina Rules of Civil Procedure and 26 S.C. Reg. 103-852 and other applicable rules and regulations of the Commission, Allegiance requests leave to take the testimony of two shipper witnesses by telephone. Allegiance requests permission to depose Mr. Bobbie Beavers and Ms. Monica Rogers on Monday, January 10, 2005, beginning with Mr. Beavers at 2:00 p.m. and Ms. Rogers at 4:30 p.m. at the Drose Law Firm, 3955 Faber Place Drive, Suite 103, North Charleston, South Carolina.

The depositions will be upon oral examination by telephone pursuant to Rule 30(b)(7), South Carolina Rules of Civil Procedure, before a Notary Public or some other officer authorized by law to take depositions, to be recorded stenographically and to continue from day to day until completed. These witnesses will testify regarding the

market for household goods movers in the Berkeley and Dorchester County areas, their experience with current household goods operations in the area, and how Allegiance could benefit the public interest if their Certificate of Authority was expanded to include these counties.

The Motion indicates that both witnesses are at a greater distance than 100 miles from the place of the hearing. Both witnesses have indicated that it would create a hardship for them to attend the hearing on January 13, 2005. The hearing in this docket is scheduled to be held January 13, 2005, at 10:30 a.m.

The Motion also requests a waiver of the requirement under 26 S.C. Regs. 103-852 that the request to take a deposition be filed at least 10 days prior to the scheduled hearing. Counsel for Allegiance was recently retained and upon contacting Mr. Beavers and Ms. Rogers discovered that it would create a hardship for them to attend the hearing in person.

We grant Allegiance's requests to take the telephone depositions of Mr. Beavers and Ms. Rogers and to use the depositions in the hearing scheduled for January 13, 2005. We also waive the 10 day filing requirement for good cause shown.

IT IS HEREBY ORDERED THAT:

1. The Motion for Leave to Take the Depositions of Mr. Beavers and Ms. Rogers by telephone and to use the depositions in the hearing scheduled for January 13, 2005, is granted.
2. The request to waive the 10 day filing requirement for this Motion is granted.

3. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSON:

/s/
Randy Mitchell, Chairman

ATTEST:

/s/
G. O'Neal Hamilton, Vice Chairman

(SEAL)